

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
N/S Ebenezer Rd., 500 ft. S * ZONING COMMISSIONER
of c/l Harewood Road * OF BALTIMORE COUNTY
6918 Ebenezer Road *
15th Election District * Case Nos. 93 103-A
5th Councilmanic District *
Ronald E. Canary, et ux *
Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Zoning Variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 2 ft., in lieu of the required 10 ft., for that property known as 6918 Ebenezer Road. The relief requested is more particularly shown on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Zoning Variance.

The Petitioner/property owner, Ronald I. Canary, appeared and testified. Appearing in support of the Petition was Dan Shumaker. There were no Protestants present.

Evidence received at the hearing disclosed that the subject property, known as 6918 Ebenezer Road, is improved by an existing dwelling occupied by Mr. and Mrs. Ronald I. Canary. The property is a narrow deep lot which is .498 acres in size, zoned D.R.5.5, and is served by public water and sewer.

The Petitioner proposes to subdivide the property to create two lots. Lot No. 1 will be .19 acre in size and will contain the existing dwelling occupied by the Petitioner and his wife. Lot No. 2 will be .30 acre and will be located to the rear of the existing dwelling. Mr. Canary proposes constructing a single family dwelling on lot No. 2 which will be

occupied by his son and family. The vehicular access onto the subject lot from Ebenezer Road is presently provided by a driveway on the west side of the property. The Petitioner proposes extending the driveway into the rear yard to serve the proposed lot No. 2. Further, the 20 ft. wide strip of property on which the driveway is located will be conveyed as part of lot No. 2. As a result of this conveyance, lot No. 1 will have only a 2 ft. side yard setback from the side of the dwelling to the driveway/west property line. Thus, the Petition for Variance is necessary.

The Petitioner submitted numerous photographs showing the site, as well as signed letters from the surrounding neighbors indicating that they have no objection to the requested variance. Statements from the Zoning Plans Advisory Committee did not contain any adverse comments. However, a comment submitted from Developers Engineering Division, dated October 13, 1992, requires that "This site must be submitted through the Minor Subdivision process for review." That review process will be undertaken when the necessary zoning approvals are obtained.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

-2-

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance requested, and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety and general welfare. Further, granting of the variance will be in strict harmony with the spirit and intent of the B.C.Z.R.

This property lies within close proximity to the Chesapeake Bay and is, therefore, subject to the Chesapeake Bay Critical Area legislation found within Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management must submit recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and

-3-

3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations have not, as yet, been submitted, as noted in the Zoning Plans Advisory Committee comments from the Department of Environmental Protection and Resource Management (D.E.P.R.M.) dated October 13, 1992. (copy attached hereto). When D.E.P.R.M.'s final comments are completed, they shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 13th day of Nov, 1992 that a variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 2 ft., in lieu of the required 10 ft., for that property known as 6918 Ebenezer Road, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners

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would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioners must comply with the comment from Developers Engineering Division, dated October 13, 1992, requiring that this site be submitted through the Minor Subdivision process for review.

2. The granting of the variance is conditioned upon the Petitioners obtaining confirmation that the subject Petition complies with the Chesapeake Bay Critical Area regulations and obtains approval from the Department of Environmental Protection and Resource Management (D.E.P.R.M.).

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

November 10, 1992

Mr. and Mrs. Ronald I. Canary
6918 Ebenezer Road
Baltimore, Maryland 21220

RE: Case No. 93-103-A
Petition for Variance
6918 Ebenezer Road

Dear Mr. and Mrs. Canary:

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm
att.



Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at #6918 Ebenezer Road
which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

To permit a side yard setback of 2' in lieu of 10'
requirement per § 1802.3.C.1 of the B.C.Z.R.
of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

In order to conform to a 20 ingress/egress
to my back lot, I have only 2' setback side
of my house.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Signature

Address

City

State

Zipcode

(We do solemnly declare and affirm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.)

Legal Owner(s)

(Type or Print Name)

Signature

Address

City

State

Zipcode

Signature

Address

City

State

Zipcode

Office Use Only

Estimated Length of Hearing

minutes for Hearing

All

Reviewed by: LES DATE: 9-23-92

#109

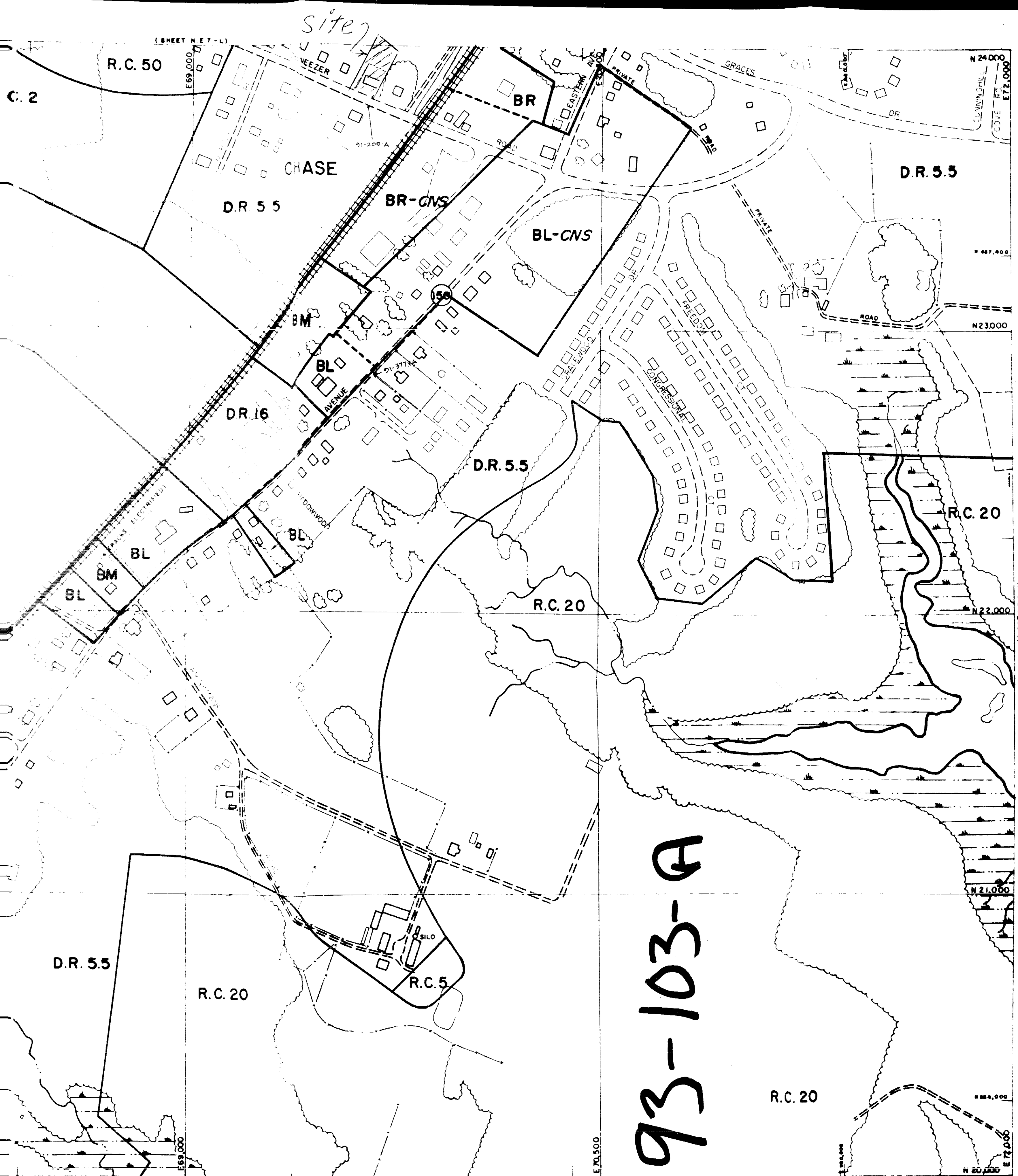
THE DESCRIPTION

ZONING DESCRIPTION FOR #6918 EBENEZER ROAD
BEGINNING AT A POINT ON THE NORTH SIDE OF EBENEZER ROAD WHICH IS A 20' PAVING ON A 40' R/W AT THE DISTANCE 500' SOUTH OF THE CENTERLINE OF HAREWOOD ROAD WHICH IS A 20' PAVING ON A 40' R/W. THENCE RUNNING N-37°-45'-E 244.0 THENCE RUNNING S-52°-23'-E 90.0 THENCE RUNNING S-37°-45'-W 225.24 TO THE NORTH SIDE OF EBENEZER ROAD. THENCE RUNNING WITH AND ON THE NORTH SIDE OF SAID ROAD N-64°-09'-W 91.98 TO THE POINT OF BEGINNING. AS RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN LIBER 5650 FOLIO 949. CONTAINING 0.48 ACRES. ALSO KNOWN AS #6918 EBENEZER ROAD AND LOCATED IN THE 15TH ELECTION DISTRICT.

#1109

ORDER RECEIVED FOR FILING
Date 11/3/92
By Mr. Schmitt

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BALTIMORE COUNTY
 DEPARTMENT OF PLANNING AND ZONING
 OFFICIAL ZONING MAP

#109

SCALE 1" = 200' ±	LOCATION CHASE	SHEET N.E. 6-L
DATE OF PHOTOGRAPHY JANUARY 1986		



BALTIMORE COUNTY
 DEPARTMENT OF PLANNING AND ZONING
 AERIAL PHOTOGRAPHIC MAP

SCALE 1" = 200' ±	LOCATION CHASE	SHEET N.E. 6-L
DATE OF PHOTOGRAPHY JANUARY 1986		

93-103-A 109

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th Date of Posting: 10/11/92

Posted for: Ronald & Gisela Canary

Petitioner: Ronald & Gisela Canary

Location of property: 6918 Ebenezer Rd. 200 S. Howard Rd.

Location of Sign: Facing the way on property R to 200 S

Remarks: _____

Posted by: [Signature] Date of return: 10/23/92

Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., 10/8, 1992

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 10/8, 1992

THE JEFFERSONIAN,
S. Zate Orlov
Publisher

93-103-A 109

Baltimore County
Office of Zoning Administration
and Development Management
Office of Planning & Zoning
Towson, Maryland 21204

9/23/92

PUBLIC HEARING FEES	QTY	PRICE
ONE ZONING VARIANCE (1RL)	1	\$50.00
TOTAL:		\$50.00

LAST NAME OF OWNER: CANARY

04A040032NICHRC
BA C00243PM09-23-92 \$50.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

receipt

Account: R-001-6150
Number: 11/5/92 hearing

93-103

04A040032NICHRC
BA C00243PM09-23-92 \$50.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

DATE: 10/20/92

Ronald and Gisela Canary
6913 Ebenezer Road
Baltimore, Maryland 21220

RE:
CASE NUMBER: 93-103-A (Item 109)
N/S Ebenezer Road, 500' S of c/j Harwood Road
6918 Ebenezer Road
15th Election District - 5th Councilmanic
Petitioner(s): Ronald E. Canary and Gisela J. Canary
HEARING: THURSDAY, NOVEMBER 5, 1992 at 11:00 a.m. in Rm. 118, Old Courthouse

Dear Petitioner(s):

Please be advised that \$ 64.33 is due for advertising and posting of the above captioned property and hearing date.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Place the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your Order, immediate attention to this matter is suggested.

[Signature]
ARNOLD JARON
DIRECTOR

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

OCT. 01 1992

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-103-A (Item 109)
N/S Ebenezer Road, 500' S of c/j Harwood Road
6918 Ebenezer Road
15th Election District - 5th Councilmanic
Petitioner(s): Ronald E. Canary and Gisela J. Canary
HEARING: THURSDAY, NOVEMBER 5, 1992 at 11:00 a.m. in Rm. 118, Old Courthouse

Variance to permit a side yard setback of 2 feet in lieu of 10 foot requirement.

[Signature]
Lawrence E. Schmidt

Zoning Commissioner of
Baltimore County

cc: Ronald and Gisela Canary

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

October 20, 1992

Mr. and Mrs. Ronald I. Canary
6918 Ebenezer Road
Baltimore, MD 21220

RE: Item No. 109, Case No. 93-103-A
Petitioner: Ronald I. Canary, et ux
Petition for Variance

Dear Mr. and Mrs. Canary:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

Your petition has been received and accepted for filing this 23rd day of September, 1992.

[Signature]
ARNOLD JARON
DIRECTOR

Received By:
W. Carl Richards Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Ronald I. Canary, et ux
Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jaros, Director DATE: October 19, 1992
Zoning Administration and Development Management

FROM: Robert W. Bowling, Esq., Chief
Development Engineering Division

RE: Zoning Advisory Committee Meeting
for October 19, 1992
Item No. 109

The Development Engineering Division has reviewed the subject zoning item. This site must be submitted through the other subdivision process for review and comments.

RWB:DAK

Recd 10/14/92

SHA Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

Ms. Julie Winarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No: 4109 (Jcm)

Dear Ms. Winarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact David Ramsey at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,
David Ramsey 10/5/92
John Contestabile, Chief
Engineering Access Permits
Division

Recd 10/5/92

ZONING OFFICE

My telephone number is _____
Tele typewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: October 7, 1992

FROM: Ervin McDaniel, Chief
Office of Planning and Zoning
Development Review Section

SUBJECT: Petitions from Zoning Advisory Committee
(October 5, 1992)

The Office of Planning and Zoning has no comments on the following petition(s):

Ronald I. Canary, Item No. 109 ✓
Irvin C. Ludloff, Item No. 111 ✓

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning at 887-3211.

Prepared by: Francis Morsey

Division Chief: John P. Morsey

EMC/D/PM:rdn

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: October 9, 1992

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahoe J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: October 5, 1992

ITEM NUMBER: 109

Lots 1 and 2 need to have a single point of access.

Rahoe J. Famili
Rahoe J. Famili
Traffic Engineer II

RJF/lvd

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: October 13, 1992

FROM: J. Lawrence Pilson, JEP/DEPRM
Development Coordinator, DEPRM

SUBJECT: Zoning Item #109
6918 Ebenezer Road
Zoning Advisory Committee Meeting of October 5, 1992

The Department of Environmental Protection and Resource Management requests an extension for the review of the above referenced zoning item to determine whether the proposed development is in compliance with the Chesapeake Bay Critical Area Regulations. The applicant must submit a Critical Area Findings Plan for review and approval by this Department prior to preparation of a Critical Area Findings for the development. The applicant may contact the Environmental Impact Review Division of the Department at 887-2904 for details.

LP:sp

EBENEZER/TXTSBP

Baltimore County Government
Fire Department

OCTOBER 19, 1992 (410) 887-4500

700 East Joppa Road, Suite 901
Towson, MD 21204-5500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: RONALD I. CANARY AND GISELA J. CANARY
Location: #6918 EBENEZER ROAD
Item No.: 109 (JCM) Zoning Agenda: OCTOBER 5, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: J. Lawrence Pilson
Planning Group
Special Inspection Division

JP/KEK

Rec'd 10/14/92

ITEM109.10/ZAC1

Rec'd 10/14/92

Rec'd 10/21/92

Rec'd 10/21/92

Department of Recreation and Parks
Development Review Committee Response

Authorized signature: Walter K... Date: 10/13/92

Project Name	Waiver Number	Zoning Issue	Meeting Date
✓ Ronald I. and Gisela J. Canary		No Comment	10-5-92
DED DEPRM RP STP TE			
✓ J. Homer Weidemever		No Comment	
DED DEPRM RP STP TE			
✓ Irvin C. Ludloff, Jr.	110	No Comment	
DED DEPRM RP STP TE			
✓ Emanuel Baptist Church	111	No Comment	
DED DEPRM RP STP TE			
✓ Jean P. Fraunfelder	112	No Comment	
DED DEPRM RP STP TE			
✓ Richard J. Januszkiewicz	113	No Comment	
DED DEPRM RP STP TE			
✓ Richard J. Januszkiewicz	114	No Comment	
DED DEPRM RP STP TE			

COUNT 6
May C. Brewer
DED DEPRM RP STP TE
107
No Comment
10/5/92

COUNT 1
FINAL TOTALS
COUNT 7

*** END OF REPORT ***

Rec'd 10/14/92

93-103 A 11-5-92
Attach origin petition Due Date 10/15/92

To: Arnold L. Jablon
From: J. Lawrence Pilson
Subject: Zoning Item # 109
6918 Ebenezer Road
Zoning Advisory Committee Meeting of 10/5/92

The Department of Environmental Protection and Resource Management has no comments on the above referenced zoning item.

✗ The Department of Environmental Protection and Resource Management offers the following comments on the above referenced zoning item:

The DEPRM has no comments on the above referenced zoning item. This property was initially believed to be located in the CBCT, however, upon receipt of further information, it was determined that this property lies outside the Critical Area.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

DAN SHUMAKER
Ron Canary
523 BRADSHAW RD.
6914 EBENEZER RD.

TO WHOM IT MAY CONCERN,

I Beth Mathews, WHO RESIDES AT # 6918
EBENEZER ROAD HAVE SEEN THE PRELIMINARY PLANS OF MR. CANARY'S
PROPOSED MINOR SUBDIVISION OF HIS EXISTING LOT IN ORDER TO CREATE
ONE ADDITIONAL LOT ON HIS PROPERTY.

I UNDERSTAND THAT MR. CANARY IS MAKING APPLICATION TO
BALTIMORE COUNTY FOR THE APPROVAL OF THIS PLAN AND WISH TO STATE
THAT I DO NOT OPPOSE HIS PLANS.

Beth Mathews DATE 9/29/92

Det 2A

TO WHOM IT MAY CONCERN,

I BRENDA NOSS, WHO RESIDES AT # 6930
EBENEZER ROAD HAVE SEEN THE PRELIMINARY PLANS OF MR. CANARY'S
PROPOSED MINOR SUBDIVISION OF HIS EXISTING LOT IN ORDER TO CREATE
ONE ADDITIONAL LOT ON HIS PROPERTY.

I UNDERSTAND THAT MR. CANARY IS MAKING APPLICATION TO
BALTIMORE COUNTY FOR THE APPROVAL OF THIS PLAN AND WISH TO STATE
THAT I DO NOT OPPOSE HIS PLANS.

Brenda Noss DATE 9/14/92

Det 2B

TO WHOM IT MAY CONCERN.

I, LYNN ROBERT REEDER, WHO RESIDES AT #1 EBENEZER ROAD HAVE SEEN THE PRELIMINARY PLANS OF MR. CANARY'S PROPOSED MINOR SUBDIVISION OF HIS EXISTING LOT IN ORDER TO CREATE ONE ADDITIONAL LOT ON HIS PROPERTY.

I UNDERSTAND THAT MR. CANARY IS MAKING APPLICATION TO BALTIMORE COUNTY FOR THE APPROVAL OF THIS PLAN AND WISH TO STATE THAT I DO NOT OPPOSE HIS PLANS.

Draw Robert Reeder

DATE 9-16-92

Ref
2c

Canary Property #6918 Ebenezer Rd.



Ref
2c

standing on Ebenezer Rd. (Dead end)
Looking @ Front of House



standing @ End of Exist drive
looking out to Ebenezer Rd.

Canary Property #6913 Ebenezer Rd.



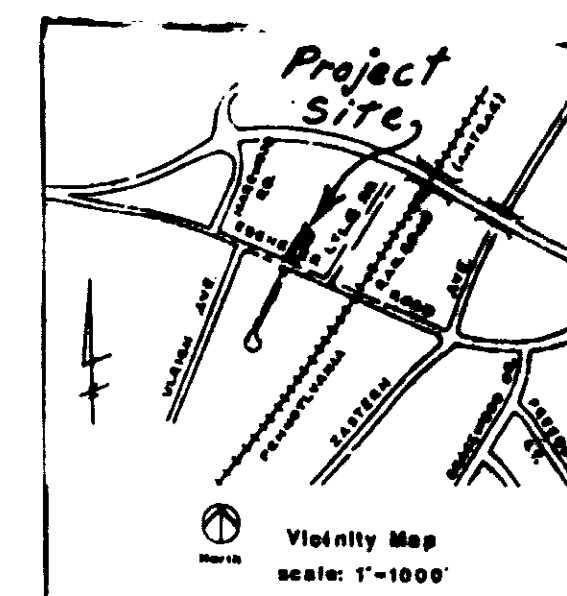
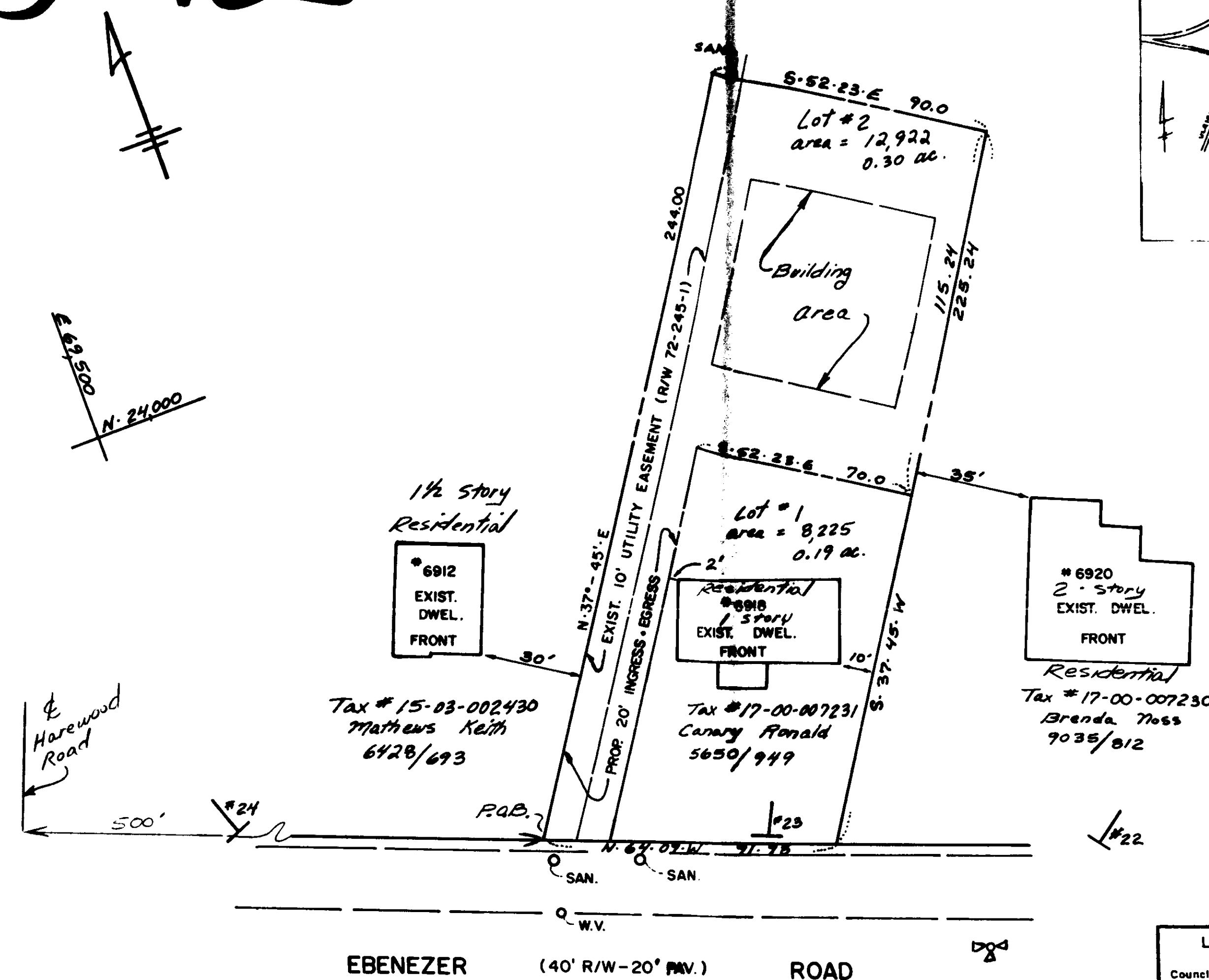
Ref
3b

standing behind exist house
looking at Back Lot



standing in Back lot
looking at exist house

93-103-A 109



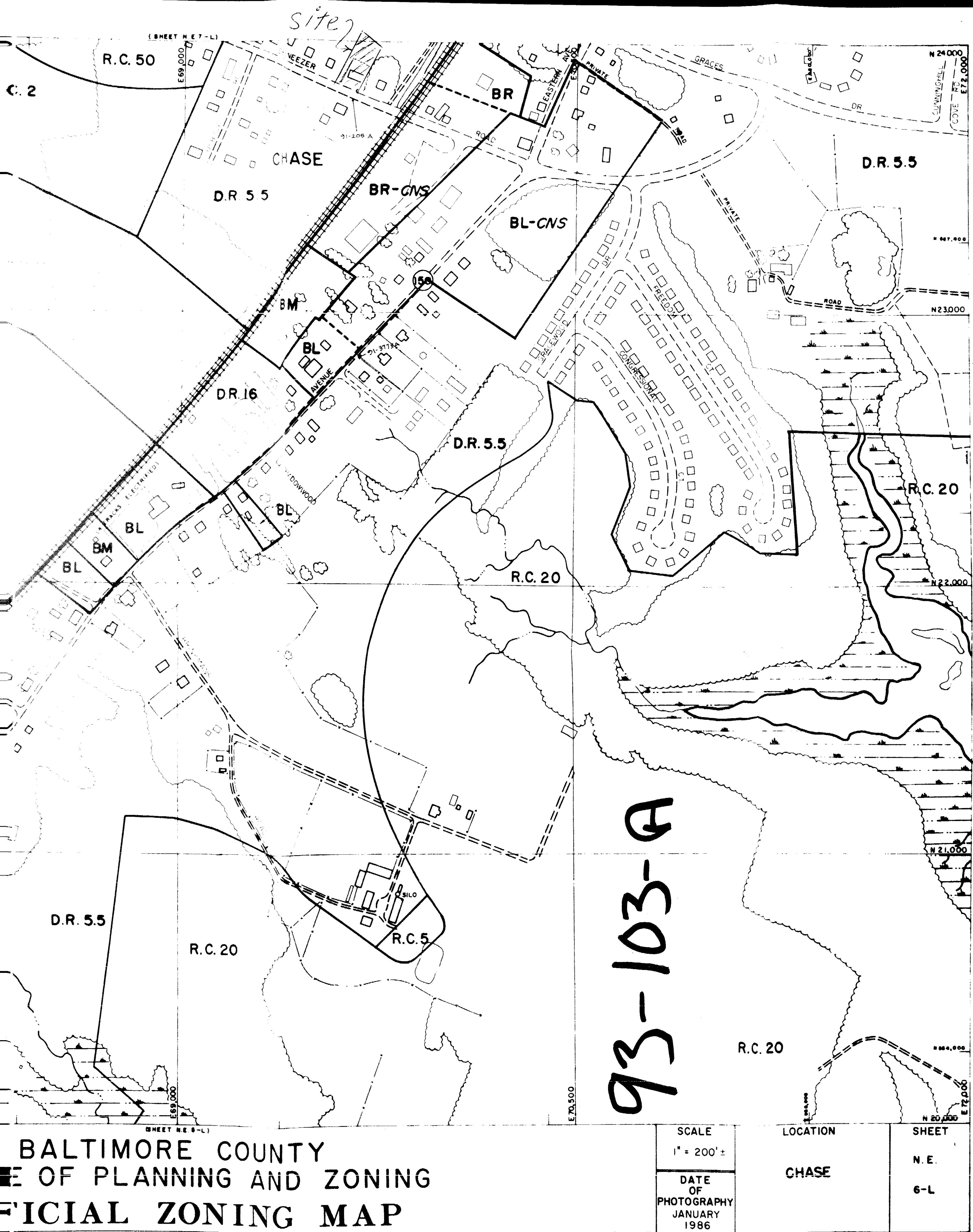
EBENEZER (40' R/W-20' HW.) ROAD

Scale: 1" = 30'

Plat to accompany Petition for Zoning Variance

PROPERTY ADDRESS: #6918 Ebenezer Road

Subdivision name: Ref books 22, lot 22, lots 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 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1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 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2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 20



BALTIMORE COUNTY
DEPARTMENT OF PLANNING AND ZONING
AERIAL PHOTOGRAPHIC MAP

SCALE 1" = 200' ±	LOCATION CHASE	SHEET N.E. 6-L
DATE OF PHOTOGRAPHY JANUARY 1986		

93-103-A 109

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE
N/S Ebenezer Rd., 500 ft. S * ZONING COMMISSIONER
of c/l Harewood Road * OF BALTIMORE COUNTY
6918 Ebenezer Road *
15th Election District * Case Nos. 93 103-A
5th Councilmanic District *
Ronald E. Canary, et ux *
Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Zoning Variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 2 ft., in lieu of the required 10 ft., for that property known as 6918 Ebenezer Road. The relief requested is more particularly shown on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Zoning Variance.

The Petitioner/property owner, Ronald I. Canary, appeared and testified. Appearing in support of the Petition was Dan Shumaker. There were no Protestants present.

Evidence received at the hearing disclosed that the subject property, known as 6918 Ebenezer Road, is improved by an existing dwelling occupied by Mr. and Mrs. Ronald I. Canary. The property is a narrow deep lot which is .498 acres in size, zoned D.R.5.5, and is served by public water and sewer.

The Petitioner proposes to subdivide the property to create two lots. Lot No. 1 will be .19 acre in size and will contain the existing dwelling occupied by the Petitioner and his wife. Lot No. 2 will be .30 acre and will be located to the rear of the existing dwelling. Mr. Canary proposes constructing a single family dwelling on lot No. 2 which will be

occupied by his son and family. The vehicular access onto the subject lot from Ebenezer Road is presently provided by a driveway on the west side of the property. The Petitioner proposes extending the driveway into the rear yard to serve the proposed lot No. 2. Further, the 20 ft. wide strip of property on which the driveway is located will be conveyed as part of lot No. 2. As a result of this conveyance, lot No. 1 will have only a 2 ft. side yard setback from the side of the dwelling to the driveway/west property line. Thus, the Petition for Variance is necessary.

The Petitioner submitted numerous photographs showing the site, as well as signed letters from the surrounding neighbors indicating that they have no objection to the requested variance. Statements from the Zoning Plans Advisory Committee did not contain any adverse comments. However, a comment submitted from Developers Engineering Division, dated October 13, 1992, requires that "This site must be submitted through the Minor Subdivision process for review." That review process will be undertaken when the necessary zoning approvals are obtained.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

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Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance requested, and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety and general welfare. Further, granting of the variance will be in strict harmony with the spirit and intent of the B.C.Z.R.

This property lies within close proximity to the Chesapeake Bay and is, therefore, subject to the Chesapeake Bay Critical Area legislation found within Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management must submit recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and

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3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations have not, as yet, been submitted, as noted in the Zoning Plans Advisory Committee comments from the Department of Environmental Protection and Resource Management (D.E.P.R.M.) dated October 13, 1992. (copy attached hereto). When D.E.P.R.M.'s final comments are completed, they shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 13th day of Nov., 1992 that a variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 2 ft., in lieu of the required 10 ft., for that property known as 6918 Ebenezer Road, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners

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would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioners must comply with the comment from Developers Engineering Division, dated October 13, 1992, requiring that this site be submitted through the Minor Subdivision process for review.

2. The granting of the variance is conditioned upon the Petitioners obtaining confirmation that the subject Petition complies with the Chesapeake Bay Critical Area regulations and obtains approval from the Department of Environmental Protection and Resource Management (D.E.P.R.M.).

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

November 10, 1992

Mr. and Mrs. Ronald I. Canary
6918 Ebenezer Road
Baltimore, Maryland 21220

RE: Case No. 93-103-A
Petition for Variance
6918 Ebenezer Road

Dear Mr. and Mrs. Canary:

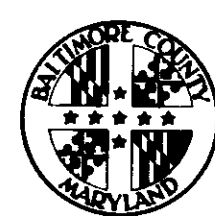
Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm
att.



Petition for Variance
to the Zoning Commissioner of Baltimore County
for the property located at 6918 Ebenezer Road
which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

To permit a side yard setback of 2' in lieu of 10' requirement per § 1802.3.C.1 of the B.C.Z.R.

In order to conform to a 20' ingress/egress to my back lot, I have only 2' setback side of my house.

Property is to be posted and advertised as prescribed by Zoning Regulations. I or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Signature

Address

City

State

Zipcode

(We do solemnly declare and affirm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.)

Legal Owner(s)

RONALD I. CANARY

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Signature

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Signature

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th Date of Posting: 10/11/92

Posted for: Ronald & Gisela Canary

Petitioner: Ronald & Gisela Canary

Location of property: 6918 Ebenezer Rd. 200 S. Howard Rd.

Location of Sign: Facing the way on property R to 200 S

Remarks: _____

Posted by: [Signature] Date of return: 10/23/92

Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., 10/8, 1992

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 10/8, 1992

THE JEFFERSONIAN,
S. Zate Orlov
Publisher

93-103-A 109

Baltimore County
Office of Zoning Administration
and Development Management
Office of Planning & Zoning
Towson, Maryland 21204

9/23/92

PUBLIC HEARING FEES	QTY	PRICE
ONE ZONING VARIANCE (1RL)	1	\$50.00
TOTAL:		\$50.00

LAST NAME OF OWNER: CANARY

04A040032NICHRC
BA C002143PM09-23-92 \$50.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

receipt

Account: R-001-6150
Number: 11/5/92 hearing

93-103

04A040032NICHRC
BA C002143PM09-23-92 \$50.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

DATE: 10/20/92

Ronald and Gisela Canary
6913 Ebenezer Road
Baltimore, Maryland 21220

RE:
CASE NUMBER: 93-103-A (Item 109)
N/S Ebenezer Road, 500' S of c/1 Harwood Road
6918 Ebenezer Road
15th Election District - 5th Councilmanic
Petitioner(s): Ronald E. Canary and Gisela J. Canary
HEARING: THURSDAY, NOVEMBER 5, 1992 at 11:00 a.m. in Rm. 118, Old Courthouse

Dear Petitioner(s):

Please be advised that \$ 64.33 is due for advertising and posting of the above captioned property and hearing date.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Place the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your Order, immediate attention to this matter is suggested.

[Signature]
ARNOLD JARLOM
DIRECTOR

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

OCT. 01 1992

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-103-A (Item 109)
N/S Ebenezer Road, 500' S of c/1 Harwood Road
6918 Ebenezer Road
15th Election District - 5th Councilmanic
Petitioner(s): Ronald E. Canary and Gisela J. Canary
HEARING: THURSDAY, NOVEMBER 5, 1992 at 11:00 a.m. in Rm. 118, Old Courthouse

Variance to permit a side yard setback of 2 feet in lieu of 10 foot requirement.

[Signature]
Lawrence E. Schmidt

Zoning Commissioner of
Baltimore County

cc: Ronald and Gisela Canary

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

October 20, 1992

Mr. and Mrs. Ronald I. Canary
6918 Ebenezer Road
Baltimore, MD 21220

RE: Item No. 109, Case No. 93-103-A
Petitioner: Ronald I. Canary, et ux
Petition for Variance

Dear Mr. and Mrs. Canary:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

Your petition has been received and accepted for filing this 23rd day of September, 1992.

[Signature]
ARNOLD JARLOM
DIRECTOR

Received By:
W. Carl Richards Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Ronald I. Canary, et ux
Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jarlom, Director DATE: October 19, 1992
Zoning Administration and Development Management

FROM: Robert W. Bowling, Esq., Chief
Development Engineering Division

RE: Zoning Advisory Committee Meeting
for October 19, 1992
Item No. 109

The Development Engineering Division has reviewed the subject zoning item. This site must be submitted through the other subdivision process for review and comments.

RWB:DAK

Recd 10/14/92

SHA
Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

Ms. Julie Winarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No: 4109 (Jcm)

Dear Ms. Winarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact David Ramsey at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,
David Ramsey 10/5/92
John Contestabile, Chief
Engineering Access Permits
Division

Recd 10/5/92
ZONING OFFICE

My telephone number is _____
Tele typewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: October 7, 1992

FROM: Ervin McDaniel, Chief
Office of Planning and Zoning
Development Review Section

SUBJECT: Petitions from Zoning Advisory Committee
(October 5, 1992)

The Office of Planning and Zoning has no comments on the following petition(s):

Ronald I. Canary, Item No. 109 ✓
Irvin C. Ludloff, Item No. 111 ✓

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning at 887-3211.

Prepared by: Francis Morsey

Division Chief: John P. Morsey

EMcd/PM:rdn

Rec'd 10/14/92

ITEM109,10/2AC1

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: October 9, 1992

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahoe J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: October 5, 1992

ITEM NUMBER: 109

Lots 1 and 2 need to have a single point of access.

Rahoe J. Famili
Traffic Engineer II

RJF/lvd

Rec'd 10/14/92

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: October 13, 1992

FROM: J. Lawrence Pilson, JEP/DEPRM
Development Coordinator, DEPRM

SUBJECT: Zoning Item #109
6918 Ebenezer Road
Zoning Advisory Committee Meeting of October 5, 1992

The Department of Environmental Protection and Resource Management requests an extension for the review of the above referenced zoning item to determine whether the proposed development is in compliance with the Chesapeake Bay Critical Area Regulations. The applicant must submit a Critical Area Findings Plan for review and approval by this Department prior to preparation of a Critical Area Findings for the development. The applicant may contact the Environmental Impact Review Division of the Department at 887-2904 for details.

LP:sp

EBENEZER/TXTSBP

Rec'd 10/21/92

Baltimore County Government
Fire Department

700 East Joppa Road, Suite 901
Towson, MD 21204-5500

OCTOBER 19, 1992

(410) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: RONALD I. CANARY AND GISELA J. CANARY
Location: #6918 EBENEZER ROAD
Item No.: 109 (JCM) Zoning Agenda: OCTOBER 5, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: J. Lawrence Pilson
Planning Group
Special Inspection Division

JP/KEK

Rec'd 10/21/92

Department of Recreation and Parks
Development Review Committee Response

Authorized signature: Walter K... Date: 10/13/92

Project Name	Waiver Number	Zoning Issue	Meeting Date
✓ Ronald I. and Gisela J. Canary		No Comment	10-5-92
DED DEPRM RP STP TE			
✓ J. Homer Weidemever		No Comment	
DED DEPRM RP STP TE			
✓ Irvin C. Ludloff, Jr.	110	No Comment	
DED DEPRM RP STP TE			
✓ Emanuel Baptist Church	111	No Comment	
DED DEPRM RP STP TE			
✓ Jean P. Fraunfelder	112	No Comment	
DED DEPRM RP STP TE			
✓ Richard J. Januszkiewicz	113	No Comment	
DED DEPRM RP STP TE			
✓ Richard J. Januszkiewicz	114	No Comment	
DED DEPRM RP STP TE			

COUNT 6
May C. Brewer
DED DEPRM RP STP TE
107
No Comment
10/5/92

COUNT 1
FINAL TOTALS
COUNT 7

*** END OF REPORT ***

Rec'd 10/14/92

93-103 A 11-5-92

Attach origin petition Due Date 10/15/92

To: Arnold L. Jablon

From: J. Lawrence Pilson

Subject: Zoning Item # 109

6918 Ebenezer Road

Zoning Advisory Committee Meeting of 10/5/92

The Department of Environmental Protection and Resource Management has no comments on the above referenced zoning item.

✗ The Department of Environmental Protection and Resource Management offers the following comments on the above referenced zoning item:

The DEPRM has no comments on the above referenced zoning item. This property was initially believed to be located in the CBCT, however, upon receipt of further information, it was determined that this property lies outside the Critical Area.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

DAN SHUMAKER
Ron Canary

823 BRADSHAW RD.
6914 EBENEZER RD.

TO WHOM IT MAY CONCERN,

I Beth Mathews, WHO RESIDES AT # 6918 EBENEZER ROAD HAVE SEEN THE PRELIMINARY PLANS OF MR. CANARY'S PROPOSED MINOR SUBDIVISION OF HIS EXISTING LOT IN ORDER TO CREATE ONE ADDITIONAL LOT ON HIS PROPERTY.

I UNDERSTAND THAT MR. CANARY IS MAKING APPLICATION TO BALTIMORE COUNTY FOR THE APPROVAL OF THIS PLAN AND WISH TO STATE THAT I DO NOT OPPOSE HIS PLANS.

Beth Mathews DATE 9/29/92

Det 2A

TO WHOM IT MAY CONCERN,

I BRENDA NOSS, WHO RESIDES AT # 6930 EBENEZER ROAD HAVE SEEN THE PRELIMINARY PLANS OF MR. CANARY'S PROPOSED MINOR SUBDIVISION OF HIS EXISTING LOT IN ORDER TO CREATE ONE ADDITIONAL LOT ON HIS PROPERTY.

I UNDERSTAND THAT MR. CANARY IS MAKING APPLICATION TO BALTIMORE COUNTY FOR THE APPROVAL OF THIS PLAN AND WISH TO STATE THAT I DO NOT OPPOSE HIS PLANS.

Brenda Noss DATE 9/14/92

Det 2B

TO WHOM IT MAY CONCERN.

I, LYNN ROBERT REEDER, WHO RESIDES AT #1 EBENEZER ROAD HAVE SEEN THE PRELIMINARY PLANS OF MR. CANARY'S PROPOSED MINOR SUBDIVISION OF HIS EXISTING LOT IN ORDER TO CREATE ONE ADDITIONAL LOT ON HIS PROPERTY.

I UNDERSTAND THAT MR. CANARY IS MAKING APPLICATION TO BALTIMORE COUNTY FOR THE APPROVAL OF THIS PLAN AND WISH TO STATE THAT I DO NOT OPPOSE HIS PLANS.

Draw Robert Reeder

DATE 9-16-92

Ref
2c

Canary Property #6918 Ebenezer Rd.



Ref
2c

standing on Ebenezer Rd. (Dead end)
Looking @ Front of House



standing @ End of Exist drive
looking out to Ebenezer Rd.

Canary Property #6913 Ebenezer Rd.



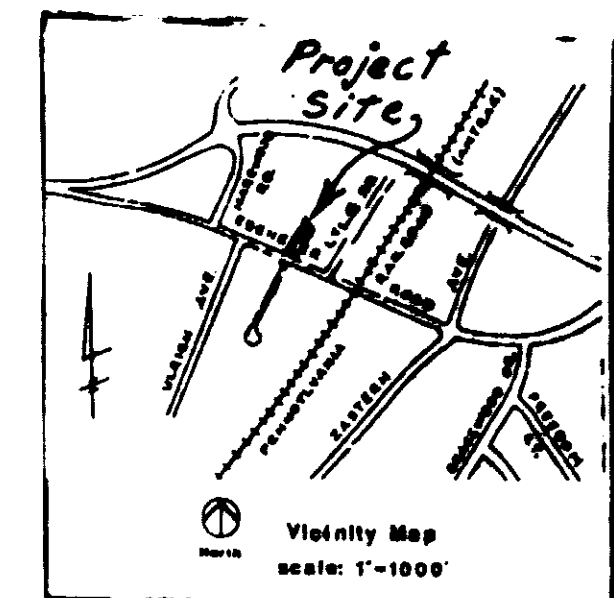
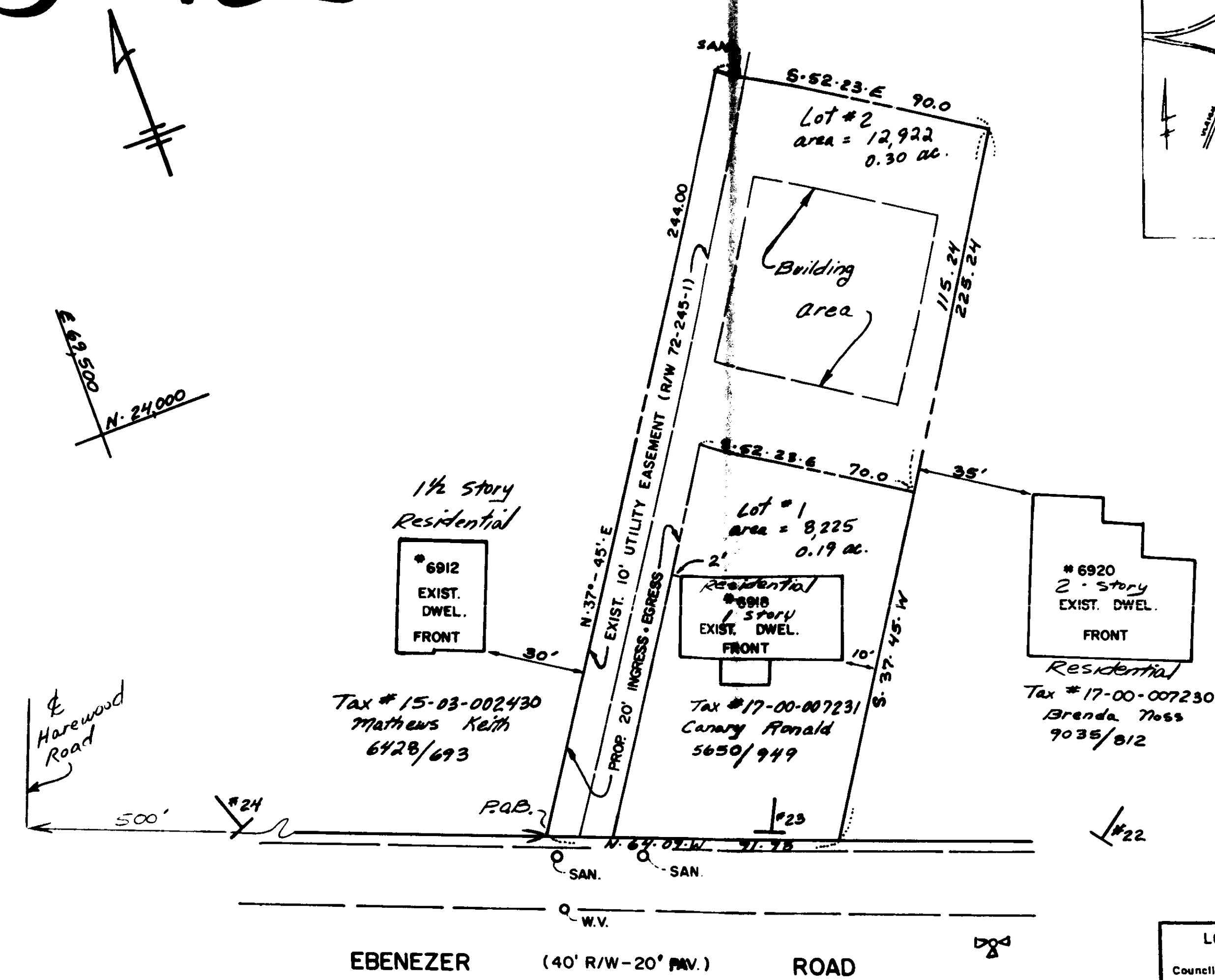
Ref
3b

standing behind exist house
looking at Back Lot



standing in Back lot
looking at exist house

93-103-A 109



EBENEZER (40' R/W-20' HW.) ROAD

Scale: 1" = 30'

Plat to accompany Petition for Zoning Variance

PROPERTY ADDRESS: #6918 Ebenezer Road

Subdivision name: Ref books 22, lot 22, into 2 sections 24

OWNER: Ronald I. Canary

LOCATION INFORMATION	
Councilmanic District:	C-5
Election District:	15
1"-200' scale map:	NE 6L
Zoning:	DR 5.5
Lot size:	2.48 20,902 square feet
SEWER:	<input checked="" type="checkbox"/> public <input type="checkbox"/> private
WATER:	<input checked="" type="checkbox"/> public <input type="checkbox"/> private
Chesapeake Bay Critical Area:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Prior Zoning Hearings:	4/4
Zoning Office USE ONLY!	
reviewed by:	ITEM #: CASE#:
JCM	109

Ref
Ex No 1